

ATTACHMENT #29(A)
SECTION 4139 OF SAFETEA-LU
LEGISLATION

(3 Pages)

and measures needed to realize the full safety potential of the commercial driver's license program, including such issues as—

- (1) State enforcement practices;
- (2) operational procedures to detect and deter fraud;
- (3) needed improvements for seamless information sharing between States;
- (4) effective methods for accurately sharing electronic data between States;
- (5) adequate proof of citizenship;
- (6) updated technology; and
- (7) timely notification from judicial bodies concerning traffic and criminal convictions of commercial driver's license holders.

(b) **MEMBERSHIP.**—Members of the task force should include State motor vehicle administrators, organizations representing government agencies or officials, members of the Judicial Conference, representatives of the trucking industry, representatives of labor organizations, safety advocates, and other significant stakeholders.

(c) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Secretary, on behalf of the task force, shall complete a report of the task force findings and recommendations for legislative, regulatory, and enforcement changes to improve the commercial drivers license program and submit such the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) **FUNDING.**—From the funds amounts made available by section 4101(c)(1), \$200,000 shall be available for each of fiscal years 2006 and 2007 to carry out this section.

SEC. 4136. INTERSTATE VAN OPERATIONS.

The Federal motor carrier safety regulations that apply to interstate operations of commercial motor vehicles designed to transport between 9 and 15 passengers (including the driver) shall apply to all interstate operations of such carriers regardless of the distance traveled.

SEC. 4137. DECALS.

The Commercial Vehicle Safety Alliance may not restrict the sale of any inspection decal to the Federal Motor Carrier Safety Administration unless the Administration fails to meet its responsibilities under its memorandum of understanding with the Alliance (other than a failure due to the Administration's compliance with Federal law).

SEC. 4138. HIGH RISK CARRIER COMPLIANCE REVIEWS.

From the funds authorized by section 31104(i) of title 49, United States Code, the Secretary shall ensure that compliance reviews are completed on motor carriers that have demonstrated through performance data that they pose the highest safety risk. At a minimum, a compliance review shall be conducted whenever a motor carrier is rated as category A or B for 2 consecutive months.

SEC. 4139. FOREIGN COMMERCIAL MOTOR VEHICLES.

(a) **OPERATING AUTHORITY ENFORCEMENT ASSISTANCE FOR STATES.**—

- (1) **TRAINING AND OUTREACH.**—Not later than 180 days after the date of enactment of this Act, the Administrator

of the Federal Motor Carrier Safety Administration shall conduct outreach and provide training as necessary to State personnel engaged in the enforcement of Federal motor carrier safety regulations to ensure their awareness of the process to be used for verification of the operating authority of motor carriers, including motor carriers of passengers, and to ensure proper enforcement when motor carriers are found to be in violation of operating authority requirements.

(2) ASSESSMENT.—The Inspector General of the Department of Transportation may periodically assess the implementation and effectiveness of the training and outreach program.

(b) STUDY OF FOREIGN COMMERCIAL MOTOR VEHICLES.—

(1) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Administrator shall conduct a review to determine the degree to which Canadian and Mexican commercial motor vehicles, including motor carriers of passengers, ~~currently operating or expected to operate~~ in the United States comply with the Federal motor vehicle safety standards.

(2) REPORTS.—Not later than 1 year after the date of enactment, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives containing the findings and conclusions of the review. Not later than 4 months after the date on which the report is submitted to the Committees, the Inspector General of the Department shall provide comments and observations to the Committees on the scope and methodology of the review.

SEC. 4140. SCHOOL BUS DRIVER QUALIFICATIONS AND ENDORSEMENT KNOWLEDGE TEST.

(a) RECOGNITION OF TEST.—The Secretary shall recognize any driver who passes a test approved by the Federal Motor Carrier Safety Administration as meeting the knowledge test requirement for a school bus endorsement under section 383.123 of title 49, Code of Federal Regulations.

(b) DRIVER QUALIFICATIONS.—Section 383.123 of such title (as in effect on the date of enactment of this Act) shall not be in effect during the period beginning on the date of enactment of this Act and ending on September 30, 2006.

SEC. 4141. DRIVEAWAY SADDLEMOUNT VEHICLES.

(a) DEFINITION.—Section 31111(a) title 49, United States Code, is amended by adding at the end the following:

“(4) DRIVE-AWAY SADDLEMOUNT WITH FULLMOUNT VEHICLE TRANSPORTER COMBINATION.—The term ‘drive-away saddlemount with fullmount vehicle transporter combination’ means a vehicle combination designed and specifically used to tow up to 3 trucks or truck tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle of the truck or truck tractor in front of it.”

(b) GENERAL LIMITATIONS.—Section 31111(b)(1) of such title is amended—

(1) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(2) by inserting after subparagraph (C) the following: